IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

FRIDAY, THE 6TH JULY 2007 / 15TH ASHADHA 1929

WP(C).No. 18707 of 2007(B)

PETITIONER:

K.N.VIKRAMAN NAIR,
EXCISE GUARG WITH LIEN AT EXCISE RANGE OFFICE,
PIRAVOM, NOW ON WORKING ARRANGEMENT AT
EXCISE RANGE OFFICE, THODUPUZHA.

BY ADV. SRI.S.P.ARAVINDAKSHAN PILLAY
SMT.N.SANTHA
SRI.PETER JOSE CHRISTO
SRI.S.A.ANAND

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY THE SECRETARY TO GOVERNMENT, HOME AND VIGILANCE DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM.

2. COMMISSIONER OF EXCISE, THIRUVANANTHAPURAM.

3. ASSISTANT EXCISE COMMISSIONER, ERNAKULAM.

4. DIRECTOR OF VIGILANCE AND ANTI CORRUPTION BUREAU, THIRUVANANTHAPURAM.

5. SUPERINTENDENT OF POLICE, VIGILANCE AND ANTI CORRUPTION BUREAU, SPECIAL CELL, ERNAKULAM.

BY GOVERNMENT PLEADER SRI.BIJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 06/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.BALAKRISHNAN NAIR, J.

W.P.(C) No.18707 of 2007 B

Dated this the 6th day of July, 2007.

JUDGMENT

The petitioner is an Excise Guard working in Ernakulam Division. He was placed under suspension by Ext.P1 order dated 5.3.2003. Later he was reinstated in service by Ext.P3 order dated 20.12.2003 with a stipulation that he will be posted in a non-sensitive post away from the District from where he was suspended from service.

2. The petitioner submits, now more than three years are over after the issuance of Ext.P3 order. He is still working in Idukki. So, he prays for a posting back to his parent division. He submitted Ext.P7 representation to the Government. Thereafter, this writ petition is filed seeking appropriate reliefs.

3. Learned Government Pleader, upon instructions, submitted that after the preliminary enquiry into the allegations levelled against the petitioner, a factual report has been submitted to the Director of Vigilance. The Government have sought the views of the Director on the prayer made by the petitioner in Ext.P7 representation.

4. The first respondent is directed to pass orders on Ext.P7, in accordance with law, within three months from the date of receipt of a copy of this judgment.

Writ petition is disposed of as above.

Sd/-

(K.BALAKRISHNAN NAIR)

JUDGE

sk/

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P.S. To Judge